IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 13 OF 2007
IN
Marriage Petition No. 94/2006

Mrs. Pratima Deepak Kale .. Applicant.

V/s.

Shri Deepak Namdeo Kale .. Respondent.

Mr.Hanmant G. Wakshe for the Applicant.

None for the Respondent.

CORAM : S. A. BOBDE, J.

DATED : 31ST AUGUST, 2007.

P.C. :-

. None for the Respondent. This is an application by the applicant-wife for transfer of a petition filed for dissolution of marriage by the respondent-husband at Nanded to Thane, where the applicant resides.

2. The applicant is a wife, who appears to have no source of income. She has instituted proceedings under section 498-A of the Indian Penal Code at Thane against the respondent-husband. The respondent is a business - man, who attends the proceedings under section 498A at Thane.

3. It may be noted that a mediation was ordered in the matter and there is a failure report.

4. Having regard to the circumstances of the case and the principle that it is the wife's convenience that must be looked at, as observed by the Supreme Court in **Sumita Singh vs. Kumar Sanjay & Anr., reported in AIR 2002 S.C.396;** the proceedings filed by the respondent at Nanded i.e. the Marriage Petition No. 94 of 2006 are transferred to Civil Court at Thane for disposal in accordance with law.

5. Order accordingly.

(S.A.BOBDE,J.)

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